

1752



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## IMPORTANT

\*\*\*\*\*

## FACSIMILE COVER LETTER

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FAX TO THE FOLLOWING NUMBER: 703-872-9306

From: John C. Holman

Date: June 10, 2004

To: Examiner Hoa Van LE

U.S. Patent and Trademark Office, Art Unit 1752

Name

Organization

Re: S/N 10/030.076 --Resend Missing Claims 23-24, Abstract and supporting documents

Our Ref.: P67506USO

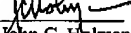
\*\*\*\*\*

TOTAL NUMBER OF PAGES, INCLUDING COVER LETTER: 16

Dear Mr. Le:

According to previous telephone conversation, attached please find the copies of the specification with pages including missing Claims 23-24 and Abstract (pages 75-78), transmittal letter, check, postcard, Article 19 amendment letter. As you indicated, please consider Claims 23-24 and issue new non-final Office Action with statutory period of reply starting from the mailing date of the new Office Action. The Commissioner is also authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is attached.

The undersigned hereby certifies that the attached documents were sent via facsimile to the U.S. Patent and Trademark Office on the noted date.

By   
 John C. Holman  
 Registration No. 22,769

This 10 day of June, 2004

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA YOUR POSTAL SERVICE. THANK YOU.

Harvey B. Jacobson, Jr. John Clarke Holman Simon L. Moskowitz Allen S. Mator Michael R. Stobasky Marsha G. Gannon Jonathan I. Scherer  
 Irwin M. Asenberry George W. Lewis Wilhem E. Pleyer Yoon S. Ham Philip L. O'Neill  
 Linda J. Shapiro Leesa N. Weiss Joseph G. Cantor Susan C. Bailey Matthew J. Quodess Jiwan Chen Robert S. Pierce\*

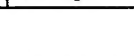
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>P67506US0</b>
		US APPLICATION NO. (if known, see 37 CFR 1.51) <b>13 July 1999</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP00/03853</b>	INTERNATIONAL FILING DATE <b>14 June 2000</b>	PRIORITY DATE CLAIMED <b>13 July 1999</b>
TITLE OF INVENTION <b>GASKET FOR FUEL BATTERY AND METHOD OF FORMING THE SAME</b>		
APPLICANT(S) FOR DO/EO/US <b>Osamu NAGAI, Shigeo WAKAMATSU and Yuichi KUROKI</b>		

Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for Internat. Preliminary Examination was made by the 19th month from earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the Internat. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
  - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - International Search Report - JPO
  - PCT/IB/304 Form
  - PCT/IB/346 Form
  - First Page of Publication
  - International Preliminary Examination Report

US APPLICATION NO. 21/150949, 2003 PCT/JP/03853	INTERNATIONAL APPLICATION NO. PCT/JP00/03853	ATTORNEY'S DOCKET NUMBER <b>P67506US0</b>																											
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Internat. prelim. examination fee paid to USPTO (37 CFR 1.492 (a) (1)) .. \$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (2)) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .. \$740.00 Neither international preliminary examination fee (37 CFR 1.492 (a) (3)) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO) ..... \$1040.00 International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (4)) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$100.00 Search Report prepared by the EPO or JPO (37 CFR 1.492 (a) (5)) ..... \$890.00 <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 60%;">CALCULATIONS</th> <th style="width: 40%;">PTO USE ONLY</th> </tr> <tr> <td style="height: 150px; vertical-align: bottom;"> <div style="text-align: right;"><b>\$ 890.00</b></div> </td> <td></td> </tr> </table>	CALCULATIONS	PTO USE ONLY	<div style="text-align: right;"><b>\$ 890.00</b></div>																								
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Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%; text-align: center;">\$</td> </tr> </table>		\$																									
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Claims</th> <th style="width: 20%;">Number Filed</th> <th style="width: 20%;">Number Extra</th> <th style="width: 20%;">Rate</th> <th style="width: 20%;"></th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">24 - 20 =</td> <td style="text-align: center;">-4-</td> <td style="text-align: center;">x \$18.00</td> <td style="text-align: right;">\$ 72.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">8 - 3 =</td> <td style="text-align: center;">-5-</td> <td style="text-align: center;">x \$84.00</td> <td style="text-align: right;">\$ 420.00</td> </tr> <tr> <td colspan="3">Multiple Dependent Claim(s) (if applicable)</td> <td style="text-align: center;">+ \$280.00</td> <td style="text-align: right;">\$</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="text-align: right;"><b>\$ 1382.00</b></td> </tr> </table>		Claims	Number Filed	Number Extra	Rate		Total Claims	24 - 20 =	-4-	x \$18.00	\$ 72.00	Independent Claims	8 - 3 =	-5-	x \$84.00	\$ 420.00	Multiple Dependent Claim(s) (if applicable)			+ \$280.00	\$	<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1382.00</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%; text-align: center;">\$</td> </tr> </table>		\$
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Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%; text-align: center;">\$</td> </tr> </table>		\$																									
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Fee of \$40.00 for recording the enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%; text-align: center;">\$</td> </tr> </table>		\$																									
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	<b>\$ 1422.00</b>																												
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1422.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>06-1358</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. <u>06-1358</u> . A duplicate copy of this sheet is enclosed.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Amt. to be refunded:</td> <td style="width: 40%; text-align: center;">\$</td> </tr> <tr> <td>Amt. charged:</td> <td style="text-align: center;">\$</td> </tr> </table>	Amt. to be refunded:	\$	Amt. charged:	\$																							
Amt. to be refunded:	\$																												
Amt. charged:	\$																												
SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <b>JACOBSON HOLMAN PLLC</b>            400 7th Street, N.W., Suite 600            Washington, DC 20004            202-638-6666  <u><b>CUSTOMER NUMBER: 00136</b></u> </div> <div style="text-align: right;">           By <u></u>  <b>John C. Holman</b>            Reg. No. 22,769         </div> </div>																													

**\*\*HAND CARRY\*\* TO PCT WINDOW, CRYSTAL PLAZA II, 8<sup>TH</sup> FLOOR**

Atty Docket: P87506US0

Today's Date: January 10, 2002

Serial No.: New U.S. National Phase Application

Applicant: NAGAI et al

Filing Date: January 10, 2002

The following has been received in the U.S. Patent &amp; Trademark Office on the date stamped hereon:

☒ Preliminary Amendment☒ International Search Report (210)☒ PCT/IB/304/345 Form(s)☒ First Page of Publ.☒ Article 19 Amendment and Statement in Japanese☒ IPR: (409)☒ 78 pg. Specif. with 24 claims, Abstract, and Article 19 translation attached thereto☒ 24 Sheets of Drawings☒ Declaration and Power of Attorney (2 pages)☒ Assignment document and cover sheet

Check for \$ 1422.00 (Check No. 56390)

DUE DATE: January 13, 2002

JAN 10 2002

JAN 10 2002

JACOBSON HOLMAN PLLC

100 SEVENTH STREET, NW

WASHINGTON, DC 20007

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